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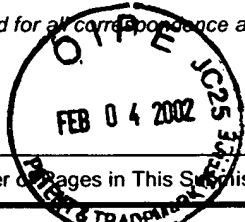
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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)



Total Number of Pages in This Submission

4

Attorney Docket Number

09/932,579

2177

Application Number

Aug 17, 2001

Filing Date

Chen

First Named Inventor

NYA

Group Art Unit

NYA

Examiner Name

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103.1073.01

## ENCLOSURES (check all that apply)

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| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                                 | <input type="checkbox"/> Petition to Convert a Provisional Application                                | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                                 | <input checked="" type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s)<br>(please identify below):<br>Statement Under 37 CFR 3.73(b)<br>Return Postcard |
| <input type="checkbox"/> Express Abandonment Request                               | <input type="checkbox"/> Terminal Disclaimer  |  |
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| Firm<br>or<br>Individual name | Steven A. Swernofsky |  | Reg. no. 33,040 |
| Signature                     |                      |  |                 |
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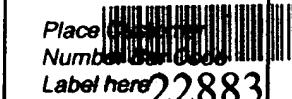
## POWER OF ATTORNEY OR AUTHORIZATION OF AGENT, NOT ACCOMPANYING APPLICATION

|                        |                 |
|------------------------|-----------------|
| Application Number     | 09/932,579      |
| Filing Date            | August 17, 2001 |
| First Named Inventor   | Raymond C. Chen |
| Group Art Unit         | Not Assigned    |
| Examiner Name          | Not Assigned    |
| Attorney Docket Number | 103.1073.01     |

I hereby appoint:

Practitioners at Customer Number

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AND/OR

Practitioner(s) named below:

| Name         | Registration Number |
|--------------|---------------------|
| Gary E. Ross | 29,431              |
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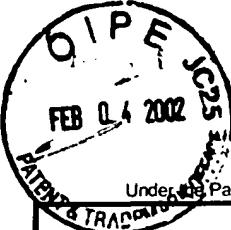
Applicant.

Assignee of record of the entire interest  
*Certificate under 37 CFR 3.73(b) is enclosed*

### SIGNATURE of Applicant or Assignee of Record

|           |                                    |
|-----------|------------------------------------|
| Name      | Gary E. Ross, Chief Patent Counsel |
| Signature |                                    |
| Date      | 10-19-01                           |

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Raymond C. Chen

Application No./Patent No.: 09/932,579 Filed/Issue Date: August 17, 2002

Entitled: Manipulation of Zombie Files and Evil-Twin Files

Network Appliance, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. [x] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. [ ] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[x] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

10-19-01

Date

  
Signature  
Gary Ross

Typed or printed name

Chief Patent Counsel

Title

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